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OFFICE OF PETITIONS

In re Application of :
Bronaugh et al. :
Application No. 10/729,278 :
Filed: December 3, 2003 :
Attorney Docket No. D-2763/WOD :

This is a decision in response to the petition under 37 CFR 1.137(b), filed August 24, 2005, to revive the above-identified application.

This Petition is hereby **granted**.

The above-identified application became abandoned for failure to reply in a timely manner to the non-final Office action, mailed February 17, 2005. The Office action set a three (3) month period for reply, and provided for extensions of time under 37 CFR 1.136(a). No reply having been received, the application became abandoned on May 18, 2005. The mailing of this Decision precedes the mailing of a Notice of Abandonment.

With the instant petition, Petitioner has satisfied the requirements of a grantable petition under 37 CFR 1.137(b). An Amendment in response to the February 17, 2005 Office action is filed with the instant petition. Accordingly, the petition is granted.

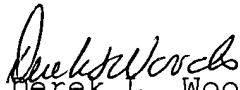
Applicant files a three (3) month extension-of-time request with the instant petition; however, under 35 U.S.C. § 133, an applicant has six (6) months to reply to an Office action. Upon failure to prosecute the application within six months of notice of the Office action, the application shall be regarded as abandoned. This statutory requirement may not be waived by the Office. As such, after August 17, 2005, no extensions-of-time were available and the application became abandoned for failure to reply within the period set forth in the Office action, on

May 18, 2005. Thereafter, a petition to revive the application is the appropriate course of action.

A refund of the extension of time fee, \$1,020, has been credited to deposit account 20-1434, and the petition fee, \$1,500, has been charged to deposit account 20-1434.

This application is being forwarded to Technology Center Art Unit 3745 for processing of the Amendment, filed with the instant petition on August 24, 2005, in due course.

Telephone inquiries concerning this matter should be directed to the undersigned at (571) 272-3232.

A handwritten signature in cursive script, appearing to read "Derek L. Woods".

Derek L. Woods
Attorney
Office of Petitions